

PUBLIC CHAPTER NO. 117**HOUSE BILL NO. 896****By Representative Sargent****Substituted for: Senate Bill No. 1080****By Senator Johnson**

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 6, Part 12, relative to cytopathology services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-1201, is amended by deleting the section in its entirety and by substituting instead the following:

For purposes of this part, unless the context otherwise requires:

(1) "Cytopathology services" means the examination of cells from fluids, aspirates, washings, brushings, or smears, including the Pap test examination performed by a physician or under the supervision of a physician; and

(2) "Onsite medical clinic" means a medical clinic located on the premises of the patient's employer and for which cytopathology services are provided and for which a patient has no financial obligation to pay for such cytopathology services.

SECTION 2. Tennessee Code Annotated, Section 63-6-1202, is amended by deleting the section in its entirety and by substituting instead the following:

63-6-1202.

A clinical laboratory or physician, located in this state, or in another state, providing cytopathology services for patients in this state, shall present or cause to be presented a claim, bill or demand for payment for these services only to the following:

- (1) The patient directly;
- (2) The responsible insurer or other third party payor;
- (3) The hospital, public health clinic, nonprofit health clinic ordering the services, or onsite medical clinic;

(4) The referring laboratory, other than a laboratory of a physician's office or group practice that does not perform the technical or professional component of the cytopathology service for which the claim, bill, or demand is presented; or

(5) Governmental agencies or their specified public or private agent, agency, or organization on behalf of the recipient of the services.

SECTION 3. The commissioner of health is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this are declared to be invalid and void.

SECTION 5. For the purpose of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2007, the public welfare requiring it.

PASSED: April 23, 2007



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 8th day of May 2007



PHIL BREDESEN, GOVERNOR